



PROB 22 (Rev. 2/88)		DOCKET NUMBER (Tran. Court) 5:13CR00119 3	
TRANSFER OF JURISDICTION		DOCKET NUMBER (Rec. Court) 1:19-cr-307 (GLS)	
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE: Andrew Harris ND/NY	DISTRICT DISTRICT OF VERMONT	DIVISION	
	NAME OF SENTENCING JUDGE The Honorable Christina Reiss		
	DATES OF PROBATION/SUPERVISED RELEASE:	FROM 1/26/2018	TO 1/25/2023
OFFENSE Conspiracy to Distribute Heroin and Cocaine Base			
PART 1 - ORDER TRANSFERRING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF VERMONT			
IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of the Court to the United States District Court for the Northern District of New York upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*			
<u>8/19/19</u> Date		 United States District Judge	
*This sentence may be deleted in the discretion of the transferring Court.			
PART 2 - ORDER ACCEPTING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF NEW YORK			
IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.			
<u>8/20/19</u> Effective Date		 United States District Judge	



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
PROBATION OFFICE



BRUCE D. VANTASSEL
CHIEF U.S. PROBATION OFFICER

August 20, 2019

Albany Clerks' Office
ATTN: Intake/Docket Clerk

1:19-cr-307 (GLS)

RE: Andrew Harris
Transfer of Jurisdiction

ATTN: Intake/Docket Clerk:

Enclosed please find two copies of Probation Form 22, Transfer of Jurisdiction from the District of Vermont to the Northern District of New York as the offender is residing in Albany County. We are requesting this case be assigned to a District Judge in Northern New York to allow us to proceed with any violations on a timely basis. The case should be assigned to a District Judge in the following division:

- ☒ ALBANY
- ☐ SYRACUSE
- ☐ BINGHAMTON
- ☐ PLATTSBURGH

Please return both Probation 22 Forms to our office once they are signed by the District Judge so we may forward them to the transferring district. Your assistance is appreciated. If you have any questions, please contact this office at (518) 247-4511.

Very truly yours,


Sarah K.G. Shutts

Enclosures.

James M. Hanley Federal Building
100 S. Clinton Street, P.O. Box 7035
Syracuse, New York 13261
(315) 234-8700
Fax (315) 234-8701

James T. Foley U.S. Courthouse
445 Broadway, Room 347
Albany, New York 12207
(518) 257-1700
Fax (518) 257-1701

U.S. Courthouse & Federal Building
15 Henry Street
Binghamton, New York 13901
(607) 773-3202
Fax (607) 773-3140

U.S. Probation Office
14 Durkee Street, Suite 110
Plattsburgh, New York 12901
(518) 247-4510
Fax (518) 247-4516

CLOSED

**U.S. District Court
District of Vermont (Rutland)
CRIMINAL DOCKET FOR CASE #: 5:13-cr-00119-cr-3**

Case title: USA v. Dixon et al

Date Filed: 09/11/2013

Date Terminated: 11/04/2014

Assigned to: Judge Christina Reiss

Defendant (3)**Andrew Harris***TERMINATED: 11/04/2014**also known as**"D"**TERMINATED: 11/05/2014**also known as**Dreads**TERMINATED: 11/05/2014*represented by **Andrew Harris**

09379-082

Metropolitan Detention Center

P.O. Box 239002

Brooklyn, NY 11232

PRO SE

Lisa B. Shelkrot , Esq.

Langrock Sperry & Wool, LLP

210 College Street

P.O. Box 721

Burlington, VT 05402-0721

(802) 864-0217

Fax: (802) 864-0137

Email: lshelkrot@langrock.com

ATTORNEY TO BE NOTICED*Designation: CJA Appointment***Pending Counts**

21:846, 841(a)(1), 841(b)(1)(B),(C).F
CONSPIRACY TO DISTRIBUTE
NARCOTICS- conspiracy to distribute
cocaine base and heroin
(1s)

Highest Offense Level (Opening)

Felony

Terminated Counts

21:841(a)(1), 841(b)(1)(C).F NARCOTICS
- SELL, DISTRIBUTE, OR DISPENSE -
distribute heroin
(3)

Disposition

Imprisonment for a term of 60 months
followed by 5 years S/R

Disposition

dismissed

21:841(a)(1), 841(b)(1)(C).F NARCOTICS
- SELL, DISTRIBUTE, OR DISPENSE
distribute heroin
(4s)

dismissed

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Plaintiff

USA

represented by **Craig S. Nolan , AUSA**
United States Attorney's Office
District of Vermont
P.O. Box 570
Burlington, VT 05402-0570
Email: laura.harvey@usdoj.gov
TERMINATED: 12/12/2013
ATTORNEY TO BE NOTICED

Joseph R. Perella , AUSA
United States Attorney's Office
District of Vermont
P.O. Box 570
Burlington, VT 05402-0570
(802) 951-6725
Fax: (802) 951-6540
Email: joe.perella@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/11/2013	<u>1</u>	INDICTMENT as to Eric Dixon (1) count(s) 1, 4, 5-6, Terrence Chenault (2) count(s) 1, 2, 4, Andrew Harris (3) count(s) 3. (law) (Entered: 09/12/2013)
09/11/2013	<u>2</u>	MOTION to Seal <u>1</u> Indictment and Arrest Warrants by USA as to Eric Dixon, Terrence Chenault, Andrew Harris. (law) (Entered: 09/12/2013)
09/11/2013	<u>3</u>	ORDER granting <u>2</u> Motion to Seal <u>2</u> Indictments and Arrest Warrants as to Eric Dixon (1), Terrence Chenault (2), Andrew Harris (3). Sealed until the arrest of the defendants Signed by Chief Judge Christina Reiss on 9/11/2013. (law) (Entered: 09/12/2013)
09/12/2013		CJA 20: Appointment of Attorney Lisa B. Shelkrot, Esq for Andrew Harris. Signed by Deputy Clerk on 9/12/2013. (law) (Entered: 09/12/2013)
09/12/2013		INDICTMENT UNSEALED as to Eric Dixon, Terrence Chenault, Andrew Harris per arrests (jjj) (Entered: 09/12/2013)

09/12/2013	7	MOTION for Detention by USA as to Eric Dixon (1), Terrence Chenault (2), Andrew Harris (3). (hbc) (Entered: 09/12/2013)
09/12/2013		ATTORNEY UPDATE as to Eric Dixon, Terrence Chenault, Andrew Harris. Attorney Joseph R. Perella, AUSA for USA added. Pursuant to USAO. (law) (Entered: 09/12/2013)
09/12/2013	10	CJA 23 Financial Affidavit by Andrew Harris. (Document image is sealed). (jjj) (Entered: 09/13/2013)
09/12/2013	11	MINUTE ENTRY for proceedings held before Judge John M. Conroy: Arraignment as to Eric Dixon, Terrence Chenault and Andrew Harris. Deft Dixon present with David Watts, Esq., deft Chenault present with Gregory Glennon, Esq., deft Harris present with Lisa Shelkrot, Esq. and Craig Nolan, AUSA present for Govt. Deft Dixon pled not guilty to Cts 1,4,5,6; deft Chenault pled not guilty as to Cts 1,2,4 and deft Harris pled not guilty to Ct 3. Govt moves for detention and defts Dixon and Harris request continuation, Deft Chenault consents to detention at this time. ORDERED: granting 7 Motion for Detention as to deft Chenault and he shall be detained pending trial. Motions due by 12/13/2013. Detention Hearing set for 9/17/2013 10:00 AM for defts Dixon and Harris before Judge John M. Conroy. (Court Reporter: recorded) (jjj) Link added on 10/29/2013 (law). (Entered: 09/13/2013)
09/12/2013	13	CRIMINAL PRETRIAL SCHEDULING ORDER as to Eric Dixon, Terrence Chenault, Andrew Harris. Motions due by 12/13/2013. Time excluded from 9/12/2013 to 12/13/2013. Signed by Judge John M. Conroy on 9/12/2013. (jjj) (Entered: 09/13/2013)
09/12/2013	14	ORDER SCHEDULING A DETENTION HEARING as to Eric Dixon, Andrew Harris. Detention Hearing set for 9/17/2013 10:00 AM in Burlington Courtroom 440 before Judge John M. Conroy. Signed by Judge John M. Conroy on 9/12/2013. (jjj) (Entered: 09/13/2013)
09/16/2013	17	ARREST WARRANT RETURNED executed on 9/12/2013 as to Andrew Harris. (pac) (Entered: 09/16/2013)
09/17/2013	18	MINUTE ENTRY for proceedings held before Judge John M. Conroy. Detention Hearing as to Eric Dixon, Andrew Harris held on 9/17/2013 Deft Dixon present with Robert Sussman, Esq.; deft Harris present with Lisa Shelkrot, Esq. and Nancy Creswell, AUSA present for Govt. Deft Dixon consents to detention at this time. ORDERED: 7 Motion for Detention is granted. (Court Reporter: recorded) (jjj) (Entered: 09/17/2013)
09/17/2013	20	ORDER OF DETENTION as to Andrew Harris. Signed by Judge John M. Conroy on 9/17/2013. (jjj) (Entered: 09/17/2013)
12/12/2013	34	UNOPPOSED MOTION for Extension of Time to File Pretrial Motions by Andrew Harris. (Attachments: # 1 Text of Proposed Order)(Shelkrot, Lisa) (Main Document 34 replaced on 12/16/2013) (jlh). (Entered: 12/12/2013)
12/12/2013		ATTORNEY UPDATE as to Eric Dixon, Terrence Chenault, Andrew Harris. Attorney Craig S. Nolan, AUSA terminated. Pursuant to Cheryl @ USAO. (law) (Entered: 12/12/2013)
12/13/2013	35	CERTIFICATE OF SERVICE by Andrew Harris re 34 UNOPPOSED MOTION for Extension of Time to File Pretrial Motions (Shelkrot, Lisa) (Entered: 12/13/2013)

12/16/2013	37	NOTICE OF DOCKET ENTRY CORRECTION as to Andrew Harris re: 34 UNOPPOSED MOTION for Extension of Time to File Pretrial Motions . The document was not dated and has been replaced on the docket. The corrected document is now attached to 34 as well as this entry. (jlh) (Entered: 12/16/2013)
12/18/2013	39	ORDER granting 34 Unopposed Motion for Extension of Time to File Pretrial Motions filed by Andrew Harris (3). Pretrial motions due by 1/27/2014. Signed by Chief Judge Christina Reiss on 12/16/2013. (law) (Entered: 12/18/2013)
01/23/2014	40	SECOND UNOPPOSED MOTION for Extension of Time to File Pretrial Motions by Andrew Harris. (Attachments: # 1 Certificate of Service, # 2 Text of Proposed Order) (Shelkrot, Lisa) Text clarified on 1/24/2014 (jlh) (Entered: 01/23/2014)
01/27/2014	42	ORDER denying without prejudice 40 Second Unopposed Motion for Extension of Time to File Pretrial Motions as to Andrew Harris (3). The Speedy Trial Act does not permit an extension for settlement negotiations unless they pertain to the court's consideration of a plea agreement. 18 U.S.C. Section 3161(h)(1)(G). Signed by Chief Judge Christina Reiss on 1/27/2014. (This is a text-only Order.) (cle) (Entered: 01/27/2014)
01/27/2014	41	RESPONSE to Motion by Eric Dixon as to Eric Dixon, Andrew Harris re 40 SECOND UNOPPOSED MOTION for Extension of Time to File Pretrial Motions. (Attachments: # 1 Certificate of Service)(Watts, David) Re-docketed to remove entry from co-dft Terrence Chenault's case. (law) (Entered: 01/28/2014)
01/29/2014	44	SUPERSEDING INDICTMENT as to Eric Dixon (1) count(s) 1s, 2s, 5s, 6s-7s, Terrence Chenault (2) count(s) 1s, 2s, 3s, 5s, Andrew Harris (3) count(s) 1s, 4s. (pac) (Entered: 01/29/2014)
01/30/2014	45	NOTICE OF HEARING as to Eric Dixon, Terrence Chenault, Andrew Harris: Arraignment on Superseding Indictment set for 2/6/2014 01:30 PM in Burlington Courtroom 440 before Judge John M. Conroy.(jjj) (Entered: 01/30/2014)
02/06/2014	51	MINUTE ENTRY for proceedings held before Judge John M. Conroy. Arraignment as to Eric Dixon and Andrew Harris held on 2/6/2014. Deft Dixon present with David Watts, Esq. ; deft Harris present with Lisa Shelkrot, Esq. and Joseph Perella, AUSA present for Govt. Deft Dixon pled not guilty to Cts 1-2, 5-6 and deft Harris pled not guilty to Cts 1, 4 of Superseding Indictment. ORDERED: Motions due by 4/7/2014. (Court Reporter: recorded) (jjj) (Entered: 02/06/2014)
02/06/2014	52	CRIMINAL PRETRIAL SCHEDULING ORDER as to Eric Dixon, Terrence Chenault, Andrew Harris. Motions due by 4/7/2014. Time excluded from 2/6/2014 to 4/7/2014. Signed by Judge John M. Conroy on 2/6/2014. (law) (re-docketed to include additional defendant) (Entered: 02/07/2014)
04/03/2014	59	PLEA AGREEMENT as to Andrew Harris. (Attachments: # 1 Certificate of Service) (pac) (Entered: 04/03/2014)
04/08/2014	66	NOTICE OF HEARING as to Andrew Harris: Change of Plea Hearing set for 4/14/2014 at 1:00 PM in Rutland Courtroom before Chief Judge Christina Reiss. (pjl) (Entered: 04/08/2014)
04/08/2014	65	ORDER granting 61 Unopposed Motion for Extension of Time to File Pretrial Motions filed by to Eric Dixon (1). Pretrial motions due 4/25/2014. Signed by Chief Judge Christina Reiss on 4/8/2014. (pac) Re-entered to include in co-defendant Harris' case.

		Signature date clarified on 4/9/2014 (law). (Entered: 04/09/2014)
04/14/2014	67	MINUTE ENTRY for proceedings held before Chief Judge Christina Reiss: Change of Plea Hearing as to Andrew Harris held on 4/14/2014. Dft present with L. Shelkrot, Esq. AUSA J. Perella present for gov't. Clerk swears dft and court makes inquiries. Dft waives reading of the Superseding Indictment. Plea agreement reviewed. Court informs dft of rights being waived. Statement of essential elements and factual basis for the charge read by the gov't. Court informs dft of maximum penalties. Plea entered: guilty as to Count 1s. Court makes findings and accepts guilty plea. Acceptance of plea agreement is deferred pending receipt of PSR. Court makes inquiries re: release/detention. Gov't requests continued detention. No opposition by dft. ORDERED: Dft remains detained pending sentencing. Sentencing set for 9/3/2014 at 1:00 PM in Rutland Courtroom before Chief Judge Christina Reiss. (Court Reporter: Anne Henry) (pjl) (Entered: 04/14/2014)
04/17/2014	73	NOTICE OF HEARING as to Andrew Harris: Sentencing set for 9/3/2014 at 1:00 PM in Rutland Courtroom before Chief Judge Christina Reiss. (pjl) (Entered: 04/17/2014)
04/17/2014	74	PROCEDURAL AND SCHEDULING ORDER as to Andrew Harris: Sentencing Memoranda are due by 8/22/2014 . Sentencing set for 9/3/2014 at 1:00 PM in Rutland Courtroom before Chief Judge Christina Reiss. Signed by Chief Judge Christina Reiss on 4/17/2014. (pjl) (Entered: 04/17/2014)
08/07/2014	83	REVISED NOTICE OF HEARING (location change only) as to Andrew Harris: Sentencing reset for 9/3/2014 at 1:00 PM in BURLINGTON Courtroom 440 before Chief Judge Christina Reiss. (pac) (Entered: 08/07/2014)
08/07/2014	84	AMENDED PROCEDURAL AND SCHEDULING ORDER as to Andrew Harris: Sentencing Memoranda are due by 8/22/2014 . Sentencing reset for 9/3/2014 at 1:00 PM in Burlington Courtroom 440 before Chief Judge Christina Reiss. Signed by Chief Judge Christina Reiss on 8/7/2014. (pac) (Entered: 08/07/2014)
08/11/2014	87	UNOPPOSED MOTION to Continue <i>Sentencing</i> by Andrew Harris. (Attachments: # 1 Certificate of Service)(Shelkrot, Lisa) (Entered: 08/11/2014)
08/11/2014	88	ORDER granting 87 UNOPPOSED MOTION to Continue Sentencing as to Andrew Harris. Signed by Chief Judge Christina Reiss on 8/11/2014. (This is a text-only Order.) (pjl) (Entered: 08/11/2014)
09/18/2014	103	2nd REVISED NOTICE OF HEARING as to Andrew Harris: Sentencing reset for 11/3/2014 at 1:00 PM in Burlington Courtroom 440 before Chief Judge Christina Reiss.(jbr) (Entered: 09/18/2014)
09/18/2014	104	2nd AMENDED PROCEDURAL AND SCHEDULING ORDER as to Andrew Harris: Sentencing Memoranda are due by 10/24/2014 . Sentencing reset for 11/3/2014 at 1:00 PM in Burlington Courtroom 440 before Chief Judge Christina Reiss. Signed by Chief Judge Christina Reiss on 09/18/2014. (jbr) (Entered: 09/18/2014)
10/24/2014	107	SENTENCING MEMORANDUM and MOTION for Downward Departure by Andrew Harris (Attachments: # 1 Certificate of Service, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C)(Shelkrot, Lisa) (Additional attachment(s) added on 10/24/2014: # 5 Exhibit B (Unredacted)) (jlh). (Entered: 10/24/2014)

10/24/2014	108	SENTENCING MEMORANDUM by USA as to Andrew Harris (Attachments: # 1 Certificate of Service)(Perella, Joseph) (Entered: 10/24/2014)
11/03/2014	111	MINUTE ENTRY for proceedings held before Chief Judge Christina Reiss: Sentencing held on 11/3/2014 for Andrew Harris. Joseph Perella, AUSA present for gov't. Lisa Shelkrot, Esq. present with Dft. Court accepts plea agreement. Court adopts PSR as its findings of fact. Clerk swears in Dr. Victoria Marini as witness for Dft. Statements by counsel and Dft. ORDERED: granting 107 MOTION for Downward Departure. SENTENCE: Count 1s, Imprisonment for a term of 60 months followed by 5 years S/R with conditions. Court makes recommendations to BOP. Fines waived. S/A of \$100.00 due immediately. Parties notified of right to appeal. Gov't moves to dismiss remaining counts. ORDERED: Motion granted. (Court Reporter: Anne Pierce) (jbr) (Entered: 11/05/2014)
11/05/2014	112	JUDGMENT as to Andrew Harris. Signed by Chief Judge Christina Reiss on 11/4/2014. (jbr) (Entered: 11/05/2014)
11/12/2014	113	NOTICE OF APPEAL by Andrew Harris. (gmg) (Entered: 11/12/2014)
11/20/2014	114	TRANSMITTED Index on Appeal Circuit No. 14-4248 as to Andrew Harris re: 113 Notice of Appeal. (gmg) (Entered: 11/20/2014)
11/24/2014	115	USCA Form B - Criminal Appeal Transcript Request by Andrew Harris. (gmg) (Entered: 11/24/2014)
12/23/2014	116	TRANSCRIPT of Sentencing hearing as to Andrew Harris held on 11/3/2014 before Judge Christina Reiss. Court Reporter/Transcriber Anne Pierce, telephone number 802-860-2227. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/16/2015. Redacted Transcript Deadline set for 1/26/2015. Release of Transcript Restriction set for 3/26/2015. (jbr) (Entered: 12/23/2014)
12/23/2014	117	TRANSMITTED Supplemental Index on Appeal Circuit No. 14-4248 as to Andrew Harris re 113 Notice of Appeal. (gmg) (Entered: 12/23/2014)
01/14/2015	119	MANDATE of USCA Circuit No. 14-4248 as to Andrew Harris re: 113 Notice of Appeal. Stipulation withdrawing appeal pursuant to FRAP 42 is ORDERED. (gmg) (Entered: 01/14/2015)
01/16/2018	120	PROBATION FORM 12B - Request and Order for Modifying the Conditions or Term of Supervision as to Andrew Harris. Signed by Judge Christina Reiss on 1/16/2018. (Attachments: # 1 Probation Form 49 - Waiver of Hearing) (law) (Entered: 01/16/2018)
10/01/2019	121	PROBATION FORM 22 Probation Jurisdiction Transferred to Northern District of New York as to Andrew Harris. (law) (Entered: 10/01/2019)

PACER Service Center

Transaction Receipt

10/11/2019 12:00:50

PACER Login:	amtopa43:4259907:0	Client Code:	
Description:	Docket Report	Search Criteria:	5:13-cr-00119-cr
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Exempt flag:	Exempt	Exempt reason:	Always

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U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

2014 JAN 29 AM 10:58

UNITED STATES OF AMERICA)

v.)

ERIC DIXON,)

a/k/a "Big E,")

TERRENCE CHENAULT,)

a/k/a "Stuck" a/k/a "Stucky," and)

ANDREW HARRIS,)

a/k/a "D" a/k/a "Dreads,")

Defendants.)

CLERK
BY PC
DEPUTY CLERK

Crim. No. 5:13-cr-119

SUPERSEDING INDICTMENT

COUNT ONE

The Grand Jury charges:

From in or about January 2013 to in or about September 2013, in the District of Vermont, defendants ERIC DIXON, TERRENCE CHENAULT, and ANDREW HARRIS, along with others, known and unknown to the Grand Jury, knowingly and willfully conspired to distribute a quantity of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, and quantities of a mixture or substance containing detectable amounts of cocaine base, a Schedule II controlled substance. With respect to ERIC DIXON AND TERRENCE CHENAULT, this conspiracy involved 28 grams or more of a mixture or substance containing a detectable amount of cocaine base, and 100 grams or more of a mixture or substance containing a detectable amount of heroin.

(21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(B), (C))

COUNT TWO

The Grand Jury further charges:

On or about July 26, 2013, in the District of Vermont, defendants ERIC DIXON, and
TERRENCE CHENAULT knowingly and intentionally distributed heroin, a Schedule I controlled
substance, and cocaine base, a Schedule II controlled substance.

(21 U.S.C. §§ 841(a)(1), 841(b)(1)(C); 18 U.S.C. § 2)

COUNT THREE

The Grand Jury further charges:

On or about August 20, 2013, in the District of Vermont, defendant TERRENCE CHENAULT, knowingly and intentionally distributed heroin, a Schedule I controlled substance.

(21 U.S.C. §§ 841(a)(1), 841(b)(1)(C))

COUNT FOUR

The Grand Jury further charges:

On or about August 22, 2013, in the District of Vermont, defendant ANDREW HARRIS, knowingly and intentionally distributed heroin, a Schedule I controlled substance.

(21 U.S.C. §§ 841(a)(1), 841(b)(1)(C))

COUNT FIVE

The Grand Jury further charges:

On or about August 22, 2013, in the District of Vermont, defendants ERIC DIXON and
TERRENCE CHENAULT knowingly and intentionally distributed heroin, a Schedule I controlled
substance.

(21 U.S.C. §§ 841(a)(1), 841(b)(1)(C); 18 U.S.C. § 2)

COUNT SIX

The Grand Jury further charges:

On or about August 26, 2013, in the District of Vermont, defendant ERIC DIXON knowingly and intentionally distributed heroin, a Schedule I controlled substance.

(21 U.S.C. §§ 841(a)(1), 841(b)(1)(C))

COUNT SEVEN

The Grand Jury further charges:

On or about August 26, 2013, in the District of Vermont, defendant ERIC DIXON knowingly and intentionally distributed heroin, a Schedule I controlled substance.

(21 U.S.C. §§ 841(a)(1), 841(b)(1)(C))

A TRUE BILL

FOREPERSON

Tristram J. Coffin (by JRP)
TRISTRAM J. COFFIN
United States Attorney
Rutland, Vermont
January 29, 2014

AO 245B

(Rev. 09/11) Judgment in a Criminal Case
Sheet 1

UNITED STATES DISTRICT COURT

District of Vermont

UNITED STATES OF AMERICA

v.

ANDREW HARRIS

JUDGMENT IN A CRIMINAL CASE

Case Number: 5:13-cr-119-3

USM Number: 09379-082

Lisa B. Shelkrot, Esq.

Defendant's Attorney

THE DEFENDANT:☒ pleaded guilty to count(s) 1s of the superceding indictment☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
21:846, 841(b)(1)(C)	Conspiracy to distribute heroin and cocaine base	9/30/2013	1s

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____☒ Count(s) 4s ☒ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

JUDGMENT ENTERED ON
DOCKET: 11-5-2014

11/3/2014

Date of Imposition of Judgment

Signature of Judge

Christina Reiss

Chief Judge

Name and Title of Judge

11/4/2014

Date

DEFENDANT: ANDREW HARRIS
CASE NUMBER: 5:13-cr-119-3

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

60 months to run concurrent to any undischarged term of imprisonment in Florida.

☒ The court makes the following recommendations to the Bureau of Prisons:

the dft be incarcerated at FCI Coleman in Florida and be allowed to participate in BOP's 500-hour residential drug and alcohol rehabilitation program. If program is not available, the dft should be allowed to participate in the non-residential substance abuse treatment program offered and pursue his GED, educational, & vocational opportunities. See next page.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____.

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

a _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____

DEPUTY UNITED STATES MARSHAL

DEFENDANT: ANDREW HARRIS
CASE NUMBER: 5:13-cr-119-3

ADDITIONAL IMPRISONMENT TERMS

The defendant should receive mental health treatment and counseling while incarcerated.

DEFENDANT: ANDREW HARRIS

CASE NUMBER: 5:13-cr-119-3

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :
5 years.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. *(Check, if applicable.)*
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. *(Check, if applicable.)*
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. *(Check, if applicable.)*
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. *(Check, if applicable.)*
- ☐ The defendant shall participate in an approved program for domestic violence. *(Check, if applicable.)*

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: ANDREW HARRIS

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ADDITIONAL SUPERVISED RELEASE TERMS

The defendant shall participate in a mental health program approved by the United States Probation Office. The defendant shall contribute to the cost of services rendered in an amount to be determined by the probation officer based on ability to pay or the availability of third party payment.

The defendant shall participate in a program approved by the United States Probation Office for substance abuse, which program may include testing to determine whether the defendant has reverted to the use of drugs or alcohol. The defendant shall contribute to the cost of services rendered in an amount to be determined by the probation officer based on ability to pay or the availability of third party payment. The defendant shall refrain from the use of alcohol and other intoxicants during and after treatment.

The defendant shall submit his person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. Section 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States probation officer. Failure to submit to a search may be grounds for revocation of release. The defendant shall warn any other occupants that the premises may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that the defendant has violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

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CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 100.00	\$ 0.00	\$ 0.00

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>

TOTALS	\$ 0.00	\$ 0.00
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☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A ☒ Lump sum payment of \$ 100.00 due immediately, balance due
- ☐ not later than _____, or
☐ in accordance ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.